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**Chapter 17.170 MURRAY CITY CENTER DISTRICT (MCCD)**

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**17.170.010: PURPOSE**

The Murray City Center District (MCCD) is envisioned as the commercial, civic and cultural center for the community and is a new mixed-use district intended to enhance physical, social and economic connections by redeveloping "Downtown" Murray City resulting in a richer, more vibrant cultural environment. This District applies similar characteristics to those found in the transit oriented development district (TOD- Chapter 17.168) by encouraging pedestrian oriented design, promoting development opportunities, and increasing residential and commercial densities. The anticipated development model promotes sustainable, compact, mixed-use, transit oriented uses with neighborhood oriented commercial, restaurant, civic, cultural and residential spaces to promote street life and activity by regulating building orientation and design. The city's downtown general plan element notes that historic downtown is a valuable community asset. The city's historic downtown includes live theater, social dancing, music stores, photography, dance studios, and other contributing businesses. The city hall, Murray park amenities, Boys and Girls Club of South Valley, Ken Price ballpark, and city library are located in or border the historic downtown area. The downtown general plan element suggests "these uses can form the entertainment, cultural, and civic area".

The general plan suggests preserving historic buildings and character, urban design and appearance of the area including streetscape, compatibility of land uses and the need for buffers and transition areas, development of downtown economic niches, and new business opportunities, and parking.

The historic preservation advisory board has recommended inclusion of historic buildings into a designated area of the downtown. The designation of historic buildings was previously part of the Downtown Historic Overlay District (DHOD). Adoption of the MCCD eliminates the DHOD but will still maintain a historic preservation element.

Development Goals and Objectives for the area include:

1. Enhance the integrity of Murray City;
  - Maintain the historic fabric
  - Create a true downtown/civic center
  - Create synergy with the hospital and transportation opportunities
2. Create a vibrant neighborhood;
  - Create a place to live, work and play
  - Provide a mix of quality housing

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- Provide neighborhood services and entertainment including smaller local restaurants, and coffee shops and destination oriented entertainment
- 3. Provide attractive architecture and streetscape;
  - Focus on the pedestrian experience
  - Buffer the parking
  - Enhance green corridors and trail connections
- 4. Capitalize on transit opportunities;
  - Promote alternate modes of transportation including rail, bicycle, and walking
  - Provide access and connections including TRAX, Frontrunner, Interstate-15, Interstate -215
- 5. Increase opportunities for growth;
  - Evolve over time—apply smart growth strategies
  - Make the city center self sufficient
  - Keep people in Murray
  - Attract a younger demographic
- 6. Set a standard for sustainability.
  - Adopt standards that promote sustainability while maintaining affordability

Design standards including required development processes, development goals and objectives, sustainability, neighborhood, site, and building standards are outlined in the Murray City Center District Design Guidelines. All development within the MCCD is facilitated by the standards and guidelines in this document.

### **17.170.020: BOUNDARIES**

The Murray City Center District standards address approximately 97 acres of properties and right-of-way located generally between the Trax rail lines to the west, Center Street and Jones Court on the east, 4800 South Street and several additional properties north of 4800 South, and Little Cottonwood Creek to the South. The downtown historic overlay district is that area bounded by Brown, Center, and Jones Court streets on the east; Little Cottonwood Creek on the south; the UTA Trax Line between 4800 South and Little Cottonwood Creek on the west and the northern boundary line of several properties lying north of 4800 south as described in the legal description adopted with this ordinance.

### **17.170.030: MURRAY CITY MUNICIPAL COUNCIL ADOPTION OF CITY CENTER OVERLAY DISTRICT DESIGN GUIDELINES; CONFORMANCE WITH GUIDELINES:**

The Murray City Municipal Council shall adopt the Murray City Center District (MCCD) Design Guidelines. Property located within the MCCD shall be developed in conformance with the provisions set forth herein and with the MCCD Guidelines. For purposes of this chapter, landscaping requirements and encroachment allowances shall be governed by the MCCD Guidelines. All uses shall meet the requirements and standards set forth in this chapter.

### **17.170.040: DEFINITIONS**

**ADMINISTRATIVE STAFF:** Representatives from the Community and Economic Development staff.

**CERTIFICATE OF APPROPRIATENESS:** A certificate issued by the city's planning commission indicating its approval of plans for alteration, construction, removal, restoration, or demolition of a building or development of a site.

**DESIGN GUIDELINES:** The standards of appropriate activity that adheres to the purposes and standards of the zoning ordinance.

**DESIGN REVIEW COMMITTEE OR COMMITTEE:** The committee established under title 2, Chapter 2.68 of this code. This committee acts in an advisory capacity to the city planning commission and to the Murray City Municipal Council and serves to facilitate the design review process.

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**DESIGN REVIEW PROCESS:** The review of an application undertaken by the design review committee using standards defined by the city's design guidelines and the secretary of the interior standards for rehabilitation of historic buildings. The process includes a conference between the design review committee and the applicant. The committee recommends approval or disapproval of the application and outlines its recommendation in a report that accompanies the referral of the application to the city planning commission.

**LEED:** Leadership in Energy and Environmental Design. It is a rating system published by the US Green Building Council that encourages and accelerates global adoption of sustainable green building and development practices through the creation and implementation of universally understood and accepted tools, design criteria, and building and systems performance criteria. LEED certification requires third party review and verification of compliance with required criteria by an individual certified by the Green Building Certification Institute.

**LEED Neighborhood Design (LEED-ND):** sustainable standard published by the US Green Building Council which recognizes development projects that successfully protect and enhance the overall health, natural environment, and quality of life. The rating system encourages best development practices, promoting the location and design of neighborhoods. It promotes more efficient energy and water use especially important in urban areas.

**MAJOR ALTERATION:** A physical modification to a building that involves the entire building or has a substantial visual impact on the building or the surroundings. By way of illustration, major alteration includes, without limitation, overall building design, exterior facades, site landscape and parking.

**MINOR ALTERATION:** A physical modification that is limited in scope or has a minor visual impact in relation to the total building. By way of illustration, minor alteration includes, without limitation, lighting and other appurtenant fixtures, signs and awnings.

**ORDINARY MAINTENANCE AND REPAIR:** Work to repair or prevent deterioration of a building that does not constitute a minor or major alteration. Examples of ordinary maintenance and repair include repairing deteriorated masonry, replacing broken windows or damage caused by weather or natural disaster, repainting a building in the same color as existing, replacing doors and etc. Maintenance and repair does not include major changes in color or building materials.

**PLANNING AND ZONING COMMISSION OR COMMISSION:** The City's Planning and Zoning Commission.

**SUSTAINABLE DESIGN:** Sustainable design includes methods and materials that conserve natural resources, promote adaptive reuse of materials, buildings and sites, and promotes the health and welfare of residents and property owners.

### **17.170.050 DESIGN REVIEW PROCESS**

**Certificate of Appropriateness:** The purpose and intent of the certificate of appropriateness review within the MCCD is to secure the purposes of this chapter and the general plan and to ensure that the general appearance of buildings, signs, and the development of the lands shall in no case detract from the purposes and intent set forth in this chapter.

**Certificate of Appropriateness Required:** No exterior portion of any buildings or improvements on any properties shall be erected, altered, restored, moved or demolished within the MCCD, until after an application for a certificate of appropriateness has been submitted, reviewed, and approved. Application for certificate of appropriateness shall be made on forms furnished by the city's Community and Economic Development Department. The Director shall determine if the application is a major or minor alteration. The determination of the director may be appealed to the Board of Adjustments.

1. **Minor Alterations:** Administrative staff shall review and approve applications for minor alterations, signs, awnings, and lighting. Minor alterations denied by the administrative staff may be appealed to the board

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of adjustment. A certificate of appropriateness application, when determined to involve signs, awnings, lighting, or minor alterations may be reviewed and approved by administrative staff. "Minor alterations" are defined as those exterior changes that do not involve substantial alterations, additions or removals that could impair the integrity or character of the Murray City Center District. A certificate of appropriateness for minor alterations must be approved or denied within thirty (30) days from receipt of a complete application.

2. Major Alterations and New Construction: A design review process consisting of the following:

- A. Pre Application Conference—Application materials will be submitted to the Community and Economic Development Department and a time will be scheduled for a general concept review of the application to. The applicant will receive input from staff on the process, design standards and other applicable elements prior to submittal of a final application.
- B. Design Review—After the application for formal review is submitted meetings will be scheduled for site plan review to gain City department input on the plans. A conference(s) between the MCCD Design Review Committee and the applicant shall be required for all applications for major alterations and new construction to review the proposal in relation to this chapter and design review guidelines. The application will then be forwarded to the planning commission for final action. The application shall be made on a form available from the Community and economic Development Department and shall include minimum application submittal requirements as determined by the Community and Economic Development Department.
- C. Certificate Of Appropriateness Issuance: A certificate of appropriateness shall be issued by the planning commission prior to the issuance of a building permit or other permit granted for purposes of major alterations including constructing, altering, moving or demolishing structures, and buildings. A certificate of appropriateness shall be required whether or not a building permit is required. Therefore, a certificate of appropriateness is a prerequisite to the issuance of such a building permit or such other permits. The planning commission shall review the plans for conformance with the requirements of this code and the MCCD design guidelines that have been adopted by the Murray City Council. The city shall determine the following before approval is given:
  - 1. The project is in general conformance with the Murray City General Plan.
  - 2. The project is in general conformance with the specific area plan, if any, adopted for the area
  - 3. The project conforms to the requirements of the applicable sections of the zoning ordinance.
  - 4. The project does not jeopardize the health, safety, or welfare of the public.
  - 5. The project conforms to the applicable standards outlined in the MCCD design review guidelines.
- D. Obtaining a Building Permit: No person shall obtain a building permit for new construction or for renovation of existing buildings without first preparing and presenting the information required by this section, paying the applicable design review fees, and receiving design approval from the Community and Economic Development Department. Any building permits or such other permits not issued in conformity with this chapter shall be invalid.

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Public Utility Companies: The State of Utah, the city, Salt Lake County, and all public utility companies shall be required to obtain a certificate of appropriateness prior to initiating any changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures and buildings.

**E. Standards to Determine Appropriateness:**

- a. Overall building design including design character, alignment and setback, size, height, proportion, and scale of the building;
- b. Exterior facades including exterior walls and building materials, roof and parapet, storefronts including windows and doors, bulkheads, cornices, ornamental detail, color, and back entrances;
- c. Site landscape including pavement, steps, lighting, trees, and ground cover.
- d. Parking;
- e. Light fixtures and other appurtenant fixtures;
- f. Signs and awnings.

F. Exceptions: Even if all design guidelines are not met, a certificate of appropriateness may be issued after it is determined that compliance with the design guidelines or certain design guidelines would: a) deprive owner of all viable economic use of the owner's property, or b) result in substantial diminution in value of owner's property.

**G. Certificate of Appropriateness Compliance:**

- 1. All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate.
- 2. Upon receiving a written complaint alleging a violation or failure to comply with any requirement of a certificate of appropriateness, the community and economic development department shall investigate the complaint. If the complaint has merit, and attempts to remedy the complaint fail, the community and economic development department may place the complaint on the agenda of the regular meeting of the planning and zoning commission, provided that the certificate holder shall have at least fourteen (14) days' notice of the meeting.
- 3. Certificate holder shall be given written notice of the exact nature of the complaint and the date and time of the hearing before the commission. The hearing shall be held in accordance with customary administrative hearing procedures.
- 4. The commission, after hearing the evidence presented regarding the complaint, may continue the hearing from time to time, modify or rescind any condition or requirement of the certificate of appropriateness as it deems necessary, revoke the certificate of appropriateness, or take no action and dismiss the complaint.
- 5. Any certificate holder aggrieved by an order entered by the commission pursuant to this section may maintain an action for relief therefrom in any court of competent jurisdiction.

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Action for relief must be filed with the court within thirty (30) days after the order from which relief is sought is made.

6. All notices required herein shall be provided by personal service or by certified mail.

7. If the construction of building improvements has not commenced within eighteen (18) months of the design approval or if construction has ceased for a period of one year or longer, the certificate of appropriateness and any associated building permit shall expire. Certificates of appropriateness shall be issued for a period of eighteen (18) months and shall become void unless construction is commenced within eighteen (18) months of date of issuance. Applicants may request an extension of up to six (6) calendar months during the final month prior to expiration. After the expiration of a design approval, the applicant shall be required to resubmit the plans, pay all required fees, and obtain a certificate of appropriateness prior to the issuance of a building permit.

**17.170.060: HEARING PROCEDURES:**

- A. Applications: The Community and Economic Development shall receive applications for certificates of appropriateness as required under subsection 17.170.050 of this chapter. The design review committee must provide a recommendation to the commission within sixty (60) days from the date of application.

Members of the Design Review Committee and the Planning Commission may enter, solely in performance of their official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee, or agent of the committee or commission may enter any private building without express consent of the owner or occupant thereof.

- B. Public Hearing: Prior to issuance or denial of a certificate of appropriateness, the commission shall hold a public hearing concerning an application for a certificate of appropriateness for major alterations and new construction. The commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. A written notice of the proposal shall be sent at least ten (10) days prior to the hearing to the applicant and to owners of property (i.e., lots, parcels or tracts of land) within three hundred feet (300') of the property that is the subject of an application for a certificate of appropriateness.
- C. Final Action: Unless otherwise agreed to by the applicant, the commission shall hold the public hearing and take a final action on an application for a certificate of appropriateness within thirty (30) days from the date the commission receives a recommendation from the design review committee. The commission's final action on an application for a certificate of appropriateness for major alterations and new construction shall be by the passage of a motion to take one of the following actions:

1. Grant the certificate of appropriateness as proposed;
2. Grant the certificate of appropriateness subject to specific conditions and/or modifications of the proposal presented in the application for a certificate of appropriateness;
3. Deny the certificate of appropriateness as proposed or modified.

D. Appeal:

1. Minor Alterations: Minor alterations denied by the administrative staff may be appealed to the board of adjustment by filing written notice with the board of adjustment within ten (10) calendar days from issuance of the written decision by the administrative staff.

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2. Major Alterations and new construction: An appeal of the commission's action in granting or denying any certificate may be taken to the City Council by filing written notice to the Council within ten (10) calendar days from issuance of the written decision by the commission:

- a. By any aggrieved party, and
- b. Shall be taken within times prescribed by the commission, and
- c. Shall be a review of the record to determine whether the decision was so unreasonable as to be arbitrary and capricious. (Ord. 07-30 § 2)

**17.170.070: HISTORIC PRESERVATION IN THE MCCD**

The City has identified certain buildings of special historical significance that should be preserved. The following standards designate the buildings the City has identified as historically significant and the process for making alterations to historically significant buildings.

**A. DESIGNATION PROCESS**

Significant historic buildings are identified based on meeting two or more of the following criteria:

- 1. Has major historical significance associated with significant events, activities, or persons in the history and development of Murray.
- 2. Has major architectural significance by reflecting a particular architectural style or time period at least 50 years or older and retains its character defining elements.
- 3. Any alterations that have compromised its character defining features can reasonably be reversed in whole or part.

The following properties are deemed historically significant and will be preserved and must meet the preservation requirements outlined below. 4814, 4836, 4856, 4861, 4863, 4871, 873, 4877, 4883, 4889, 4901, 4959, 4961, 4963 South State Street and 166, 184, 186, 190, 192 East Vine Street and 4872, 4843, 4886 South Poplar.

1. Alterations: Alterations of Significant Historic structures shall be reviewed through the certificate of appropriateness process outlined above. Changes will be reviewed for general compliance with the MCCD design guidelines including the additional guidelines for significant historic properties. Owners of historic buildings may request exemptions from design standards or guidelines of the MCCD which would alter the historic appearance of the building.

2. Re-Location of an existing significant historic building is allowed and is subject to approval of a certificate of appropriateness including review by the design review committee and approval by the planning commission. Details on the site for the relocation and technical reports will be required to ensure the building preserves its historical character.

3. Demolition; An application for a certificate of appropriateness authorizing the relocation, demolition or destruction of a designated significant historic building shall be discouraged. The planning commission shall not issue a certificate of appropriateness for demolition of a designated significant historic building within the MCCD except under at least one of the following circumstances:

- a. The owner of the property would suffer extreme hardship or be permanently deprived of all economic use or return by virtue of the denial; or
- b. The value of owner's property would be substantially diminished; or

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c. A city building official has verified in writing that the building is an imminent hazard to public safety or health and repairs are impractical.

4. Exception Process--an exception may be considered by the Planning Commission to allow demolition of a significant building if a development proposal is presented meeting the following criteria:

- A. The applicant has demonstrated to the Planning Commission that incorporation of the significant historic building in the proposed development is impractical based on the condition of the existing building, structural incompatibility or other similar constraints.
- B. A new proposal is presented that demonstrates adherence to the goals and objectives of the MCCD. There must be immediacy of the project and a development timeline must be submitted with a 24 month project completion period. If demolition is approved, the applicant/property owner must be willing to provide a performance security and financial guarantee equal to 125% of the estimated cost of the project to ensure project completion if demolition of the historic building is granted. A development agreement must also be executed between the City and property owner regarding the project. Demolition shall not be approved until a building permit has been issued for the proposed development and evidence of adequate financing has been submitted to the City;
- C. Proposed projected value of the project must be at least five times the current assessed valuation of the property;
- D. Project must include all commercial or a mix of residential and commercial equal to square footage amounts of 100% ground floor commercial and an additional 25% commercial in upper level floors;
- E. Demonstration of the proposed number of jobs created and quality of jobs (including wage and benefit projections) must be provided as part of the development proposal;
- F. Public benefit must be substantiated;
- G. Proposal must demonstrate compliance with ordinance standards and design guidelines;
- H. If demolition is granted, developer must implement a monument and narrative inscription describing the history of the building or a public art project approved by the History Advisory Board.

Planning Commission may make a determination after all of these criteria are submitted and evaluated. If the Planning Commission is not satisfied with any of the elements, they may deny a requested demolition.

5. Land Use, Interior Arrangement, Maintenance, Emergency Repairs Not Considered:

a. Nothing herein shall be construed to prevent a property owner from making any use of his or her property not prohibited by other statutes, ordinances or regulations.

b. The committee and commission shall have no jurisdiction over interior arrangement and shall take no action except to prevent the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant features, outdoor advertising signs, or other significant features which would be incongruous with the special character of a historic structure

c. The jurisdiction of the committee and commission shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned buildings designated as historically significant buildings.

6. The ordinary maintenance or repair of any exterior architectural feature of a building in areas which does not involve replacing the feature or a change in design, material, color or outer appearance thereof, shall not be prevented by the requirements of this chapter.



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7. Nothing in this chapter shall be construed to prevent: a) the maintenance or b) in the event of an emergency, the immediate restoration of any existing aboveground utility structure without approval by the commission.

8. The construction, reconstruction, alteration, restoration, moving or demolition of any exterior architectural features, which the city building inspector or similar official shall certify is required for public safety because of an unsafe or dangerous condition, shall not be prevented by the requirements of this chapter.

**17.170.080: USES**

A. The inclusion of a major heading includes all subcategories listed under the major heading unless otherwise excepted. (For example, listing 6900 miscellaneous service organizations includes all categories and subcategories listed from 6910 through 6999.) Any use not specifically listed shall be prohibited.

B. The following uses are permitted in the Murray City Center District (MCCD):

<b>Use No.</b>	<b>Use Classification</b>
1120	Multiple Family Dwelling ( Residential not permitted on ground floor).
1130	Multiple Family Dwelling (Residential not permitted on ground floor).
1150	Apartment High-Rise. (Residential not permitted on ground floor).
1511	Hotels.
2180	Beverages.
2300	Manufacture- Apparel. hand work trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
2740	Commercial Printing hand work trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
2760	Greeting Cards hand work trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3259	Pottery hand work trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3911	Jewelry. hand work trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
3950	Costume Jewelry hand work trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage).
4210	Commercial parking lots and garages on a fee basis (Except surface parking lots not associated with a permitted use).
5400	Food stores.
5600	Apparel and accessories.
5810	Eating places (except 5813; no drive-through sales.)
5820	Drinking places - alcoholic beverages.
5910	Drug and proprietary.
5920	Liquor, package (state store).
5930	Antiques and secondhand merchandise. (except 5935, 5938 and 5939 -

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	construction materials).
5940	Books, stationery, art, and hobby supplies.
5950	Sporting Goods, Bicycles, and Toys (except 5951).
5969	Garden supplies.
5970	Jewelry.
5990	Miscellaneous retail trade.
6100	Finance, insurance, and real estate services (except 6112, 6123, 6124, 6141 - surety bail bonding only).
6213	Dry cleaning (in no more than 7,500 square feet; no outside storage.)
6216	Self-service laundries.
6220	Photographic services.
6230	Beauty and barber services.
6250	Apparel repair, alteration, and cleaning, shoe repair services (except 6256).
6290	Personal services (except 6293, 6294).
6310	Advertising services (office only; no outside storage; no billboards).
6330	Duplicating, mailing, stenographic, and office services.
6340	Dwelling and building services (office only, except 6342, 6345).
6350	News Syndicate Services.
6360	Employment services.
6390	Business services (office only, except 6393, 6394 and 6397).
6493	Watch, clock, jewelry repair, engraving.
6496	Locksmiths and key shops.
6499	Miscellaneous small item repair (Maximum 5,000 square feet; no outside storage).
6500	Professional services (office only, except 6513 and 6516, 6518, 6518.1, 6550).
6600	General Construction Services (office only, no material storage or equipment service yards.)
6700	Governmental services (except 6714, 6740, 6750, and 6770).
6800	Educational services.
6900	Miscellaneous service organizations.
7100	Cultural activities and nature exhibitions (except 7123, 7124, 7129).
7210	Entertainment assembly (except 7213).
7220	Sports assembly (except 7221, 7222, 7223, 7224).
7230	Public assembly.
7391	Penny arcades and other coin operated amusements.
7395	Card rooms.
7396	Dance halls, ballrooms (includes dance clubs).
7397	Billiard and pool halls.
7399	Bicycle rental, tourist guides only.
7410	Bowling alleys.
7420	Playgrounds and athletic areas.
7425	Athletic clubs, bodybuilding studios.
7432	Swimming pools and schools.
7451	Archery range (indoor only).
7492	Picnic areas.
7600	Parks (public and private).
7910	Other Cultural, Entertainment, Recreational Activities
8221	Veterinarian services (completely enclosed within a building; no overnight boarding).
8224	Pet grooming (completely enclosed within a building; no overnight boarding).

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- C. A development parcel may have more than one main building.
- D. The following accessory structures and buildings, which are customarily used in conjunction with and are incidental to the principal uses and structures, are permitted:
  - 1. Parking structures, and
  - 2. Other accessory buildings which do not in aggregate have a footprint greater than twenty five percent (25%) of the footprint of the main buildings on a development parcel.
- E. More than one permitted use may be located on a development parcel and within a building.

**F. Conditional Use.**

- 1. The following uses and structures are permitted in the MCCD only after a conditional use permit has been approved by the planning commission and subject to the terms and conditions thereof:

<b>Use No.</b>	<b>Use Classification</b>
3250	Pottery and related products (excepting 3251 and 3255; handwork trades only ; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).
3500	Professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks (handwork trades only; no loading dock; deliveries and shipping only by van or small truck during normal business hours; no odors; no outside storage).

- 2. In addition to permitted land use types listed in 17.170.100.B , the Community and Economic Development Director may permit other commercial and employment uses found to be supportive of, and consistent with, the Murray City Center District, with the findings and conclusions of the Murray City General Plan, and with applicable land use policies and implementation strategies of the Murray City Title 17 Land Use Zoning Ordinance.

**G. Uses not permitted in the area:**

<b>Use No</b>	<b>Use Classification</b>
<b>5510</b>	<b>Motor Vehicle Sales</b>
<b>5530</b>	<b>Service Stations</b>
<b>5590</b>	<b>Automotive, marine crafts, aircraft and accessories</b>
<b>5960</b>	<b>Farm and garden supplies</b>
<b>6379</b>	<b>Self Storage Units</b>
<b>6394</b>	<b>Equipment Rental and leasing services</b>
<b>6397</b>	<b>Automobile, truck and trailer services</b>
<b>6410</b>	<b>Automobile repair and related services</b>
<b>7213</b>	<b>Drive-in movies (outdoor theaters)</b>
<b>7394</b>	<b>Go-cart tracks</b>
<b>7398</b>	<b>Auto racing, miniature</b>

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**17.170.090: SUSTAINABILITY STANDARDS (Refer to Chapter 1 of MCCD Design Guidelines for Further Information)**

The Murray City Center District (MCCD) has adopted the goal of pursuing and achieving sustainable development practices that could lead to the eventual attainment of LEED-ND (Neighborhood Development) certification for the entire district City Center District and encourages LEED- certification for all individual buildings. The City may provide incentives for developers who pursue LEED certification for buildings. LEED-ND standards are defined in the MCCD Design Guidelines and are recommended as standards for the development of the area.

The City recognizes that, regardless of third party certification level, there are standards that are in the best interest of the health, safety, and general welfare of the residents of Murray. Standards to promote efficient and sustainable development have been included in the parking, landscaping and building and site design standards of the MCCD and are required whether or not an individual development attains LEED certification. In addition, the following sustainability standards apply:

1. All new public buildings and uses shall be LEED Certified at the Silver level.
2. Regardless of the certification level ultimately achieved, ALL developments shall provide for on-site treatment of storm water run-off from rooftops and hardscape areas. Each development shall be responsible for pre-treating the run-off from their site through the use of bio-swales or green-roofs prior to allowing the water to enter the Little Cottonwood Creek watercourses, or the Murray City storm-water drainage system.
3. All new construction shall minimize site disturbance and include a Storm Water Pollution Prevention Plan (SWPPP) for the site and obtain a land disturbance permit from Murray City on sites greater than 1 acre in size.
4. Water Sense labeled plumbing fixtures are also required in the buildings for ALL new development and all new plumbing fixtures in existing buildings.
5. All new buildings must demonstrate an average 10 % improvement over ANSI/ASHRAE/IESNA Standard 90.1-2007 (with errata but without addenda). Buildings undergoing major renovations must demonstrate an average 5 % improvement over ANSI/ASHRAE/IESNA Standard 90.1-2007. Documentation of energy efficiency will be in accordance with the standards outlined in Appendix ##### of the adopted design guidelines for the MCCD.

New multi family residential buildings three stories or fewer, 90% of buildings must meet ENERGY STAR or equivalent criteria. Projects may demonstrate compliance with ENERGY STAR criteria through the prescriptive requirements of a Builder Option Package, the Home Energy Rating System (HERS) index, or a combination of the two.

6. For nonresidential buildings, mixed use buildings and multi family residential buildings four stories or more indoor water usage in new buildings and buildings undergoing major renovations must be an average of 20 percent less than in baseline buildings as defined in Appendix ##### of the adopted design guidelines for the MCCD.

For new multiunit residential buildings three stories or fewer, 90% of buildings must use a combination of fixtures that would reduce water usage in accordance with Appendix ##### of the adopted design guidelines for the MCCD.

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**17.170.100: AREA, WIDTH, FRONTAGE AND YARD REGULATIONS**

The main entry to a building should provide a strong connection to the street, one which is expressive, welcoming and easily located. The standards below are intended to contribute to the vibrant, connected, active, pedestrian-oriented streetscape that is envisioned for the District.

- A. Setbacks for Facades and Entries
  - 1. All street-facing building facades are to be designed so that 50% of the total linear feet are contiguous to the sidewalk (Setback: 0 feet from front property line); or
  - 2. If setbacks are proposed:
    - A. All street-facing building facades are to be designed so that 80% of the total linear feet are within 25 feet from the property line; and/or
    - B. All street-facing building facades are to be designed so that 50% of the total linear feet are within 18 feet from the property line.

**17.170.110: BUILDING DESIGN AND SCALING**

- A. The main entrance to buildings must be clearly identifiable.
- B. The primary entrance of a building must be oriented to face a street, plaza or pedestrian way. Functional entries must appear at least once every 75' on average.
- C. Building entries must be covered with canopies/awnings and/or recessed entries.
- D. Building entries must meet all local, State of Utah, and American with Disabilities Act accessibility requirements.
- E. For corner buildings, entries are required on both street facades. Locating separate entries on both facades is an acceptable alternative.
- F. All front setback areas if proposed, shall be landscaped in accordance with the MCCD Design Guidelines.
- G. Parking is not permitted in the front setback area of any building.
- H. Maintenance buildings, trash collection and recycling areas, storage and service areas, mechanical equipment and loading docks shall not be permitted in the front setback of any building. Single or ganged utility meters or other service equipment may be located in the front setback of any building; provided, there are site constraints which preclude their access in a location elsewhere on site, and they are screened and approved by the city.
- I. The side lot area between non-adjoining buildings and the property line shall be developed as parking, plaza, landscaped open space, or a landscaped walkway with access to the sidewalk.
- J. Encroachments may project into the public right-of-way provided that the encroachments are between 9 and 17 feet above the sidewalk height, subject to City and Utah Department of Transportation approval where applicable. They must not obstruct or prevent the placement of street trees or other improvements within the public right-of-way.
- K. The primary entrance to a building shall have a pedestrian-scaled facade.
- L. Blank walls shall not occupy over 50% of a principle frontage. Non-residential buildings and structures shall not have a section of blank wall exceeding 30 linear feet without being interrupted by a window, entry pilaster, or similar element. All development shall provide ground floor windows on the building façade and adjacent to a public or private street, including private pedestrian-only streets, parks, paths, or courts. Darkly tinted windows and mirrored windows which block visibility are prohibited as ground floor windows.
- M. All buildings must meet the ground with some form of base element or detailing to visually connect the building to the landscape. The base element may be smooth concrete (architectural grade), masonry, or stone.
- N. Exceptions to these standards are allowed if buildings are located in designated open space area as identified in the Murray City Center Master plan. Structures located or being relocated into these areas shall be allowed residential setback standards.

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**17.170.120: HEIGHT REGULATIONS**

- A. There are no height restrictions in the district except as provided herein.
  - 1. A minimum height of 40 feet or four stories whichever is less is required for new buildings in the area;
  - 2. The height of a structure located adjacent to a residential zoning district may not exceed fifty feet (50') in height within 150 feet of a residential zoning district.
  - 3. Buildings over 10 stories in height must have a podium which addresses the pedestrian nature of the street. A pedestrian scaled façade must be provided. A Podium shall be a maximum of three stories. Tower portion shall step back to create building height ratio described below.
  - 4. Public or quasi-public utility buildings and structures are exempt from the minimum height regulations above. This exemption does not include office buildings for public or quasi public utility companies.

**17.170.130 LIGHTING**

- A. Street and sidewalk lighting shall meet adopted light design standards
- B. Illumination levels shall not exceed IESNA recommended practice.
- C. Lighting shall be provided for pedestrian ways that is appropriately scaled to walking. i.e light standards shall not be taller than 12 feet. Attached lighting shall be provided at two feet above entrances etc.
- D. Lighting shall be shielded to prevent any off-site glare.
- E. All site lighting luminaires will conform to IESNA 'Cutoff' or 'Sharp Cutoff' classifications. See Appendix XXXX to Design Guidelines.
- F. Luminaires with less than 1,000 lamp lumens can be used without shielding.
- G. 3,000K lamp color shall be used throughout the project.
- H. Metal halide and induction lamp sources shall be used.

**17.170.140: PARKING REGULATIONS**

This section establishes the standards for the amount, location, and development of motor vehicle parking, standards for bicycle parking, and standards for on-site loading areas in the MCCD. Other titles of the City Code and Guidelines of the MCCD may regulate other aspects of parking and loading.

**A. PARKING- General Regulations**

- 1. The regulations of this chapter apply to all parking areas in Murray City Center District (MCCD), whether required by this code or constructed for the convenience of property owners or users. Parking areas include those that are accessory to a use, part of a commercial parking use, or for a park and ride facility in the community services use category.
- 2. Occupancy. All required parking areas must be paved, striped and landscaped prior to occupancy of any structure unless a deferral agreement is completed with appropriate security as allowed in Section 17.76.110.
- 3. Calculations of amounts of required and allowed parking:

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- a. When computing parking spaces based on floor area, areas inside of structures which are used for parking are not counted.
  - b. The number of parking spaces is computed based on the primary uses on the site except as stated in Paragraph B. 3 below.. When there are two or more separate primary uses on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual primary uses.
  - c. For joint use parking, see Paragraph 17.170.140.B.3, below.
  - d. When more than 20 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use.
  - e. On-street parking spaces can be used to meet the parking requirements set forth herein.
4. **Use of required parking spaces.** Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. See 17.170.140.B.3. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.
5. **Proximity of parking to use.** Required parking spaces for residential uses must be located on the site of the use or within a tract owned in common by all the owners of the properties that will use the tract or in public parking facilities. Required parking spaces for nonresidential uses must be located on the site of the use or in parking areas within 500 feet of the development site property boundary.
6. **Stacked parking.**
- a. The requirements for required spaces and all parking area development standards continue to apply for stacked parking.
  - b. Stacked (Individual Mechanical Lift), tandem, or valet parking is allowed for nonresidential sites if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee or affidavit must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for required spaces and all parking area development standards continue to apply for stacked parking.
  - c. Tandem parking is allowed for residential sites if parking spaces (front and back stalls) are reserved or designated for a single unit. Each stall constitutes a separate stall as accounted toward the total required number of parking stalls.
  - d. Stacked (multiple mechanical lift systems, or other automatic parking where individuals are not required to manually access and control the equipment) may be utilized for all uses without requiring an on-site attendant.
  - e. Proper equipment safety labels, operational protocols, equipment maintenance and other fire, life and safety issues must be reviewed and approved by all required City Departments and meet all other International Building Code and any other applicable plumbing, electric, or building codes.
7. **Street, on-street parking, signs, curbs and access review/approval.**
- In addition to Community and Economic Development Department review, Murray City Streets Division and the Murray City Engineering Division reviews the layout of parking areas, curb cut and access restrictions as set forth in Chapter 17.72, Off Street Parking and Motor Vehicle Access Standards. Parking for projects located along State Street shall also require approval from the Utah Department of Transportation (UDOT) related to access locations, curb cuts, etc. On-street overnight parking is prohibited in this area.

**B. Required Parking Spaces**

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1. Purpose. The purpose of required parking spaces is to provide enough on-site parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. Sites that are located in close proximity to transit, have good street connectivity, and good pedestrian facilities may need little or no off street parking. Transit-supportive plazas and bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.
2. Required parking spaces for the MCCD  
Table 17.170.140-1A outlines the required number of spaces for each specified use category. The standards of 17.170.140-1A apply to the entire MCCD unless specifically superseded by other portions of the City Code.
3. Joint use parking.  
Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to Murray City Planning Commission as part of a building or zoning permit application or land use review:
  - a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
  - b. The location and number of parking spaces that are being shared;
  - c. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
  - d. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
4. Carpool Spaces  
For new non-residential and non-residential portions of mixed use buildings, provide carpooling parking spaces equivalent to 10% of the total automobile parking for each non-residential and mixed use building on the site. Signage indicating carpool parking spots must be provided. Carpool parking must be within 200 feet of entrances to buildings served.
5. Exceptions for sites well served by transit.  
There is no minimum parking requirement for sites located less than 500 feet from a TRAX or FrontRunner stop. Applicants requesting this exception must provide a map identifying the site and Utah Transit Authority (UTA) schedules for all transit routes within 500 feet of the site. Maximum parking for these sites shall be in accordance with Table 17.170.140-1A
6. Bicycle parking may be substituted for up to 10 percent of required parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement may be reduced by one space. Existing parking may be converted to take advantage of this provision.



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**Table 17.170.140-1A Required Parking (limited to the MCCD- Refer to 17.170.020: Boundaries):**

	<b>Required</b>	<b>Maximum</b>
<b>Office:</b>	<b>1 space / 500 net useable SF</b>	<b>1 space / 350 net useable SF</b>
<b>Medical/Clinic:</b>	<b>1 space / 500 net useable SF</b>	<b>1 space / 300 net useable SF</b>
<b>Retail:</b>	<b>1 space / 500 net useable SF</b>	<b>1 space / 265 net useable SF</b>
<b>Restaurants:</b>	<b>1 space / 500 net useable SF</b>	<b>1 space / 265 net useable SF</b>
<b>Residential:</b>	<b>1 space / unit</b>	<b>1.25 spaces / unit (2-bedrooms or less)</b>
<b>(Multi-family Dwellings)</b>		<b>1.4 spaces / unit (more than 2-bedrooms)</b>
<b>Disabled/Accessible</b>	<b>See Chapter 17.72.070.</b>	
	<b>Other requirements as provided by the Americans with Disabilities Act</b>	
<b>Uses not listed</b>	<b>As determined by the Community and Economic Development Director based on the nearest comparable use standards.</b>	

**7. Compact Stalls**

Compact stalls may be used within the MCCD and shall not constitute more than 15 percent of the total provided spaces for a use or development. In the case of parking structures, compact spaces shall be limited to 15 percent of the total spaces in the structure. Minimum dimension for compact spaces shall 8 feet by 16 feet.

**8. Bicycle parking**

Bicycle parking is required for most use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations ensure adequate short and long-term bicycle parking based on the demand generated by the different use categories and on the level of security necessary to encourage the use of bicycles for short and long stays. Bicycle racks shall be placed on every development as follows:

The minimum number of bicycle parking spaces for any use shall be five percent (5%) of the vehicular parking spaces required for such use, up to a maximum of twelve (12) spaces;

- (a) At least two (2) feet x six (6) feet per bicycle;
- (b) Designed to have sufficient space, to be a minimum of 24 inches, beside each parked bicycle to allow access. This access may be shared by adjacent bicycles. Racks shall be installed a minimum of 24 inches from any wall or other obstruction;
- (c) Located to prevent damage to bicycles by vehicles, etc.
- (d) In a convenient, visible, lighted area;
- (e) Located so as not to interfere with pedestrian movements;
- (f) Located within 100 feet of a public entrance.
- (g) Located to provide safe access to and from the street;
- (h) Designed to allow each bicycle to be supported by its frame;
- (i) Designed to allow the frame and wheels of each bicycle to be secured against theft;
- (j) Anchored to resist rust or corrosion, or removal by vandalism;
- (k) Designed to accommodate a range of bicycle shapes and sizes and facilitate easy locking without interfering with adjacent bicycles.

**17.170.150: LOADING AND SERVICE AREAS** Utilities, mechanical equipment placement and screening and service entries should be considered early on in a project to minimize the impact both visually and

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acoustically. Additionally, safety is a concern where children may be allowed to access equipment that may be hot, loud, or have dangerous moving parts.

**A. The visual impacts of utilities and mechanical equipment and any service area canopy shall be minimized using the following techniques.**

1. Service entrances, waste disposal areas and other similar uses shall be located to the side or rear of buildings and shall be oriented toward service lanes and away from major streets.
2. Service areas shall be positioned to minimize conflicts with other abutting uses.
3. Screening walls/landscaping shall be provided to minimize visual impact of service and utility areas, using materials consistent with building design to integrate service and utility areas into design.
4. Screen height shall be sufficient to conceal view from ROW and public areas of site.
5. Screening shall be required for both ground-level mounted and rooftop-mounted mechanical equipment and utilities.
6. Limit height of screening around outdoor/rooftop equipment to minimum height necessary to screen equipment from public view including adjacent properties circulation routes.
7. Mechanical equipment, satellite dishes, vents, flues, and associated penetrations shall not be located on a roof slope that faces the public ROW.
8. Mechanical equipment may be screened by extension of the roof parapet if no roof-top equipment is visible from any public ROW within 500 feet.
9. Ground screening materials shall be of the same or complementary material/detailing as that of the main structure. Use of planting materials to screen ground-level equipment is an option.

**17.170.160: OPEN SPACE/LANDSCAPING**

A. Each development shall have a system of pedestrian walkways and sidewalks that provide easy connections between the building entrances, neighboring building entrances, sidewalks, parking areas, open space and public trails.

B. Water conserving landscape designs shall be used. All landscaping must be irrigated and planted with substantial live plant material or appropriate xeriscape for the purpose of buffering, screening and beautifying the site, and shall comply with applicable landscape requirements found in chapter 17.68., except lawn shall not be required as stated in section 17.68.040 A. 1. a. At plant maturity the landscaping should represent, as a minimum standard, compatibility with surrounding developed properties and uses and must be permanently maintained by the owner or occupants.

C. Sustainable landscaping including xeriscape species and innovative water recycling or irrigation systems is encouraged. All landscape plans must be approved by the City.

D. All existing trees to be preserved 15-feet outside of the building footprint shall remain unless otherwise approved by the City Forester. All proposed tree removals must also be approved by the City of Murray.

E. Trees or structures shall provide shade within 5 years for 50% of sidewalk length.

F. Where new plant materials are to be used, employ indigenous species into the plant palette.

- A minimum of 70% of groundcover and shrub plantings shall be indigenous species.
- A minimum of 50% of the trees planted shall be native species.
- No more than 50% of the landscaping areas shall be turf. If turf is specified, an eco-lawn mix shall be used.

G. Provide 100 foot minimum setback from top of bank of Little Cottonwood Creek for any structure. Top of bank shall be located by a licensed surveyor or Engineer.

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H. Public spaces that are adjacent to wetlands or water course setbacks must have a native planting transition zone that blend into sensitive habitat areas.

**17.170.170 Access Improvements and Street Character:**

A. Construction of new buildings or renovations of existing buildings shall include construction and installation of the adjacent sidewalks, park strips and other landscaping, curbs, gutters, lighting, and street furniture as required in this chapter.

B. The improvements within the rights of way for public streets shall include but not be limited to the following standards:

The right-of-way widths within the Murray City Center District vary from 140 to 70 feet and respond to the site conditions and traffic volume. There are five primary public streets that run through the Murray City Center including State Street, 5<sup>th</sup> Avenue, "Main" Street (*Formerly Box Elder Street*), Poplar Street, and Vine Street.

Within the right-of-way, the drive lanes vary from 10 to 12 feet with most streets having 7 to 8-foot on-street parallel parking areas. A minimum 12 foot pedestrian sidewalk is included within the right-of-way that includes an 8 foot pedestrian zone along with a 4 foot furnishing or landscape strip between the sidewalk and edge of curb. The following Street types and standards apply:

1. **"Parkway"**

***Location: Poplar Street along the Park Blocks***

Parkway streets are tree-lined streets which include one lane of traffic in each direction and on-street parking. Flanking the street are planting strips, sidewalks, street furniture zones and pedestrian bollards and streetlights.

2. **"Festival"**

***Location: 5<sup>th</sup> Avenue- Between State St. / Poplar St.***

***5<sup>th</sup> Avenue- Between "Main" St. / TRAX line***

These streets are places that create spaces that encourage movement, interaction and celebration. The sidewalks and streets are designed to flow as one uniform plane, while street lights, trees, benches and bollards define pedestrian and vehicular areas. The festival streets will use a permeable paver that allows for water absorption and reduces run-off. These streets will also be a tree-lined street with planting strips and sidewalks and include one lane of traffic in each direction and on-street parking/loading when not used during a public event.

3. **Cottonwood Street (*Formerly Box Elder Street*)**

***Location: Between Vine St/4800 South***

This is a tree-lined "parkway" street which includes two lanes of traffic in each direction, separated by a landscaped median. Flanking the street are planting strips, sidewalks, and a designated bike path on the east side of the street. On-street parking is provided with selective areas near intersections to allow for bus stop areas.

C. Benches shall be provided and spaced as approved by the City

D. All streets and sidewalk must be available for general public use and access and not gated.

E. Use district standard street furniture for public walks, seating areas, courtyards, plazas, recreation areas, and trails:

1. Within the public right-of-way and also on privately owned and maintained plazas/open spaces, a palette of site furnishings has been chosen for the area to provide visual continuity. Site furnishings shall comply with the standards outlined in the design guidelines.

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Furnishings Zones: In areas that are adjacent to commercial or mixed-use areas, the furnishing zone can be treated as space that is actively used for seating, tables and other site furnishings. The surface material shall be a permeable paver or equivalent approved by the City.

**17.170.180 SIGN REGULATIONS:**

- A. Signage in the MCCD shall be governed by the standards of the Murray City Sign Code found in Chapter 17.48 of the zoning ordinance unless modified by the standards below. In calculating allowed sign area for attached signs the standards of Section 17.48.160 related to signs in Commercial and Manufacturing zones shall apply. Residential buildings shall be limited to signage indicating the name and address of the project and required informational and regulatory signs such as lobby hours or parking garage way-finding.

Signs shall be designed in accordance with the MCCD design guidelines in relation to materials, color and sign type. New signs in the MCCD shall require the approval of a Certificate of Appropriateness and shall be considered a minor alteration requiring administrative review.

- B. New developments shall develop a master sign plan for the entire property; this should be used to guide individual sign design decisions. The Master Sign Plan shall be submitted with a Certificate of Appropriateness for a Major Alteration. The master sign plan will contain information related to size, materials, colors and Once the Master Sign Plan is approved by the Commission, signage which complies with the overall design and materials of the master sign plan shall not be required to obtain an additional certificate of appropriateness. Approval of the master sign plan does not eliminate the requirement for a building permit for new signs if applicable.

Existing properties and developments may also submit a master sign plan for an entire site. The master sign plan shall be reviewed as a Major Alteration and shall require review by the design review committee and approval by the planning commission. Once the Master Sign Plan is approved by the Commission, signage which complies with the overall design and materials of the master sign plan shall not be required to obtain an additional certificate of appropriateness. Approval of the master sign plan does not eliminate the requirement for a building permit for new signs if applicable.

- C. The following signs are exempt from the requirements of the MCCD.

1. Signs/ messages painted on the inside or outside of windows provided the signage covers no more than 50 percent of the window.
2. Government signs such as street signs,
3. Directional signs less than 4 square feet in size containing no commercial message.

- D. The following signs are specifically prohibited within the MCCD:

1. Internally-illuminated sign cabinets, or "box/can" signs with acrylic, panaflex, or similar illuminated sheet material faces. *(Note: This is in contrast to the allowance in the 17.48 for internally ("directly") illuminated signs.)*
2. Vacuum-formed acrylic sign faces, letters, or cabinets.
3. Internally-illuminated awnings.
4. Signage shall not be permitted on the exterior facades of buildings or lease space that is not occupied by the business being promoted by the signage.
5. Pole-mounted signs (except public street signage), unless approved by the planning commission as part of a master sign plan.
6. Letters or logos applied or sewn onto externally-illuminated opaque awnings.
7. Internally illuminated pan channel letters with exposed neon.
8. Any other sign type specifically prohibited by Chapter 17.48

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17.170.190: VIOLATION AND PENALTY:

Any person, firm or corporation whether acting as owner or occupant of the premises involved, or contractor or otherwise, who violates or refuses to comply with any of the provisions of this chapter, shall be guilty of a class C misdemeanor and, upon conviction, punished as provided by law. A separate offense shall be deemed to be committed on each day an offense occurs or continues. (Ord. 07-30 § 2)

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